

ADDRESSES

FROM THE

Assembly and Council

OF

J A M A I C A.

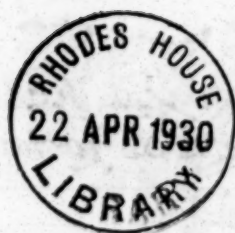


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ADDRESSES

FROM THE

Assembly and Council, &c.

To the KING's most Excellent MAJESTY.

The humble Representation and Address of
the Assembly of the Island of *Jamaica*.

Most Gracious Sovereign,

WE your Majesty's most dutiful and
loyal Subjects, the Assembly of this
your Island of *Jamaica*, most humbly beseech
your Majesty to accept our unfeigned Thanks
for your constant paternal Regard and Care of
your dutiful and loyal Subjects of this Island;
and more especially for the late Instance of
your Majesty's Goodness in giving Attention

to their Complaints, and of your great Justice in being most graciously pleased to suspend your final Determination upon an Act passed on the Second Day of *May*, One Thousand Seven Hundred and Fifty-five, intituled, An Act for removing the several Laws, Records, Books, Papers, and Writings belonging to the several Offices of Secretary of this Island, Clerk of the supreme Court of Judicature, Clerk of the Crown, Clerk of the Patents, and Register in Chancery, and Provost Marshal, from the Town of *St. Jago de la Vega* to the Town of *Kingston*; and to oblige the several Officers of the said several Offices, to hold and keep their respective Offices with the respective Records and Papers in the said Town of *Kingston*; and also for holding the supreme Court of Judicature in the said Town of *Kingston* for the future; and in giving your Royal Instructions to your Lieutenant Governor, to dissolve the late Assembly and call a new one, that your Subjects of this Island might have the earliest Opportunity, by a Representative freely and impartially chosen, of laying before your Majesty a true State of the Island, in regard to those unhappy Dissentions which have so long subsisted among them, and their Opinion upon a Matter of so much Importance to the Tranquility of this Island, as the Removal of the Seat of Government, Courts, Offices and Records.

We

We your Majesty's most dutiful and loyal Subjects, the Assembly of this your Island of *Jamaica*, have with dispassionate Minds taken into our most serious Consideration this important Question concerning the Removal of the Seat of Government, Courts, Offices and Records; and encouraged by your most gracious Condescension, do humbly offer as our Opinion, that the Town of St. *Jago de la Vega* is the proper Place for the Residence of your Majesty's Governor, and for holding those Courts in which he presides, and also for holding the supreme Court of Judicature, and keeping the Records, as necessary to the internal Police and Government of this Island, and it's future Welfare and Prosperity.

And we humbly beg leave to represent to your Majesty, that all our late Dissentions took their Rise from a Scheme formed by the partial Views of the Inhabitants of the Town of *Kingston*, to remove the Seat of Government, Courts and Records, to that Place from the Town of St. *Jago de la Vega*, where they always have been fixed since the first settling of this Island, and the Continuance of them been secured by Laws heretofore passed and made perpetual by your Majesty, and that these Dissentions have been increased and continued by the violent and unjustifiable Means made use of to carry this Scheme into Execution; which nevertheless would have prov-
ed

ed ineffectual, if your late Governor *Charles Knowles*, Esq; had not made the Prerogative subservient to the Purposes of a few, instead of following the Royal Example of your Majesty, by making it the Protection of your Subjects in general.

When an Act of the Legislature here was thought necessary by the Favourers of this Scheme, to carry it into Execution, three Assemblies who were zealous in your Majesty's Service were suddenly dissolv'd; two of them at times when they were chearfully granting the Supplies necessary for the Support of your Government; and on every Election Methods unjustifiable and unconstitutional were attempted and taken, to procure a Majority for that Purpose, but unsuccessfully until the calling of the fourth, in the Election of which the Rights and Privileges of your Majesty's Subjects in many Parishes were openly violated, whereby several Members were return'd, whom your loyal Subjects did not look upon as their legal and true Representatives. This Assembly thus procured met on the 8th Day of *April*, 1755, in the Town of *Kingston*, not with design coolly and impartially to deliberate on a Bill of this Importance, but under previous Engagements to pass it all at events.

By this Act several perpetual Laws were either in the Whole or in Part repeal'd, whereby Numbers of your Majesty's Subjects (who
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under the Encouragement of these Laws had built Houses in the Town of *St. Jago de la Vega*, or purchased Lands in it's Neighbourhood, and become with their Families fixed and permanent Inhabitants) were reduced to Poverty and a State of Despair; and the greater Number of your Majesty's loyal Subjects in other Parts of the Island were put to Inconveniences by the Seat of Government being carried farther from them, and were not only moved with Compassion for the Sufferings of so many of their Fellow Subjects in and near *St. Jago de la Vega*, but disquieted and fill'd with Apprehensions of the Danger to which their own Properties were exposed, by the little Dependance they could have on the public Faith.

And we humbly conceive and have great Reason to fear, that these Dissentions will continue, until your Majesty in your great Goodness shall be pleased to put an End to them, by giving your Royal Disallowance to the said Act, by which Means all your loyal Subjects will be restored to the full Enjoyment of their Rights and Privileges, which they have always been protected in by your Majesty and your Royal Predecessors, and their Minds relieved from that State of Despair, under which nothing could have supported them, but the full Confidence which they had in your Majesty's well known Justice.

Thus,

Thus, most gracious Sovereign, we your most dutiful and loyal Subjects, the Assembly of this your Island of *Jamaica*, have with Impartiality and the utmost Submission laid before your Majesty our Opinion in regard to the proper Place for the Seat of Government, Courts, Offices and Records; the Cause and Continuance of those unhappy Dissentions, which have for some Time past destroyed the Peace and Quiet of your Majesty's Subjects in this Island, and introduced Confusion and Disorder in the Government thereof. And we most humbly beseech your Majesty, that you would be most graciously pleased to consider our Distresses, and grant us that Relief which your Majesty alone can give, that we may again become an united People, and enjoy those Blessings which it has always been the Characteristic of your Reign to bestow on all your Subjects; however distant they may be unfortunately placed from your Royal Presence.

Fully convinced of the Advantages arising from Trade and Commerce, we your Majesty's most dutiful and loyal Subjects, the Assembly of this Island, think ourselves in Duty bound to make the same our peculiar Care, and give all due Encouragement therein. We are truly sensible that the Difficulties which Masters of Ships undergo at their Arrival, for want of proper Ports of Entry and Clearance, and the Necessity which the Merchants

chants and Factors of the Town of *Kingston* and other Places of Trade are under of attending the Courts of Justice, held at *St. Jago de la Vega*, either as Jurors or in the Prosecution of such Suits as they may have depending therein, are Burthens upon the Trade and Commerce carried on by your Majesty's Subjects, not only at *Kingston*, but in every Part of the Island, and proportionably inconvenient to all those who live remote from the Seat of Government. And we assure your Majesty that we shall, as far as in our Power, endeavour to remove the same, by preparing a proper Bill to relieve the Masters of Ships, and to establish Ports of Entry, where necessary, with proper Officers in every of them, and also, a Bill to establish proper Circuit Courts to be held in the Town of *Kingston*, and in such other Districts as shall be necessary for the more convenient and more expeditious Administration of Justice.

We further beg leave to offer to your Majesty our most grateful Acknowledgments, for being most graciously pleased to receive the humble Petition of the Twenty Members of the late Assembly, and for that Instance of your Majesty's Goodness in permitting your Majesty's late Governor *Charles Knowles*, Esq; to resign the Government of this Island, and placing it in the Hands of *Henry Moore*, Esq; whose Conduct has already given us the greatest Hopes, and whose Experience, well known

Moderation and Candour, give the strongest Assurances that under his Administration the Honour and Dignity of your Majesty's Government will be preserved, the just Prerogative of the Crown supported, the Rights and Liberties of the People restored, and, by your Majesty's Kind Interposition, the Peace, Order, and public Credit of the Island re-established.

May your Majesty long live for the Happiness of all your Subjects; and may there never be wanting a Prince of your illustrious House, to perpetuate the Blessings of your Reign to latest Posterity.

Passed the Assembly the 3^d
Day of September, 1756.

CHARLES PRICE, Speaker.

To

To the KING's most Excellent MAJESTY.

The Humble Representation of the Council of
the Island of *Jamaica*.

Most Gracious Sovereign,

WE your Majesty's most dutiful and loyal Subjects, the Council of *Jamaica*, being ever ready to pay a most chearful Obedience to your Majesty's gracious Commands, beg leave to lay before your Majesty this our humble Representation, containing, agreeable to your Majesty's late Instructions to your Lieutenant Governor, our Opinion concerning the Removal of the Seat of Government, Courts, Offices, and Records of this Island, from St. *Jago de la Vega* to *Kingston*.

We cannot but deliver it as our Opinion, that the Town of *Kingston* is the fittest Place for the Residence of the Governors of this Island, more particularly in a Time of War, the safest Repository for the public Records, and the most convenient Place for holding the supreme Court of Judicature, and shall humbly offer to your Majesty our Reasons.

We shall not venture to trouble your Majesty with the Motives, which first induced the Inhabitants of *Kingston* to petition your Majesty for the Removal of the Seat

of Government to that Town, as a Memorial to the Lords of Trade accompanied their Petition, in which their several Grievances were fully set forth; and their Lordships after a full Hearing of Evidence, for and against the said Petition, which had been refer'd to them, were pleased to report (as we have been inform'd) that the Petitioners had made out their several Allegations, and to advise your Majesty to make no Order on such an important Matter, 'till the Sense of the Legislature here should be known; which Petition, Memorial, and Report, we apprehend are still before their Lordships.

At a Sessions of Assembly, held afterwards at *Kingston*, the 8th Day of *April* 1755, the Legislature considering not only the Complaints of the Merchants concerning the heavy Burthens on Trade, and the other Grievances complained of by the People of *Kingston* in their Petition, but being also well convinced of the general Advantages which would result to the Inhabitants of this Island, from having the Courts, Offices, and Records, removed to *Kingston*, passed a Law for that purpose, after a fair and candid Examination of the Inhabitants of *St. Jago* petitioning against it; and also an Address and Representation to your Majesty, setting forth their Reasons, and imploring your Majesty's Royal Allowance thereof.

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The same Reasons which induced the Council to give their Consent to this Law, still subsist, and operate more strongly, from the Experience we have had of its great Utility.— The several Fortifications which defend the Town of *Kingston*, are made more tenable, particularly that of *Rock Fort*, which being compleated all but a Part of the Glacis, now under the narrow Pass on the East, at the Head of the Harbour very secure, as a small Number of Men can easily defend it against a numerous Body. The Fortification of *Musquito Point*, now called *Fort Augusta*, defends the narrow Channel from the Harbour of *Port Royal* to that of *Kingston*, and a formidable Battery is erected on *Salt Pond Hill*, which also contributes greatly to the Defence of this Channel; this Battery is on such an Eminence, and so difficult of Access, that it cannot easily be annoy'd either by Land or Sea; besides, before an Enemy can approach it, they must pass the Fortifications of *Port Royal*, which we wish were in a more respectable Condition. The Town of *Kingston* therefore by these Helps of Art, its natural Situation, and great Number of Inhabitants, is much the strongest Place in this Island, and the only one that we could hope to keep from falling into the Hands of an Enemy, should an Attack be made on us at this Time of actual War and Danger; we have only one of your Majesty's Regiments amongst us,

us, and it may not always be convenient for your Majesty's Service to have such a Fleet of Ships stationed here, as would protect the whole Island from Insults, or even the Town of St. *Jago*. That Place still remains in the same defenceless Condition, an open Town, situate in a large Plain, expos'd to various Inroads, unable to make any Resistance against a very inconsiderable foreign or intestine Enemy, and liable to Surprise, as a Body of Men might land at several different Places near it, without meeting any Opposition, either on their landing or March to it; the Number of its Inhabitants could not supply the want of Fortifications; and such is the unhappy Condition of your Majesty's faithful Subjects here, that sufficient Sums cannot be raised to compleat the present Fortifications of this Island, much less can we then think of such expensive Works as would be necessary to secure a Town in the midst of a large Plain. To get Numbers even for a Shew of its Defence, all or most Parts of the Country must be drained of the whole Inhabitants, and be left destitute to the Insurrections of the Slaves, or the Inroads and Devastations of an Enemy; an Event which happened during the Government of Sir *William Beeston*.

As we humbly apprehend it to be the true Policy of every Country, that such Place as is most considerable for its Trade, Number

ber of Inhabitants, and Security, should also be fixed upon as the most proper for the Seat of Government, Courts, Offices and Records, therefore as such we represent the Town of *Kingston*; and here we humbly beg leave to introduce a Paragraph from a joint Representation of the Council and Assembly to your Majesty, on the 22d of *November*, 1752.

“ The defenceless State of our Fortifications at *Fort Charles* and other Places, is
 “ a Matter of such high Concernment to the
 “ Honour of your Majesty’s Crown, and the
 “ very Being of this Island, that we should
 “ be much wanting in our Duty to so gracious a Sovereign, and the Trust reposed in
 “ us by your Subjects here, if we did not
 “ represent these our Apprehensions in Case a
 “ War should break out, as these Fortifications, by the Ignorance of the Engineers in
 “ forming the first Plans, and the Damages
 “ which they have sustained by Hurricanes,
 “ are not capable of giving a Check to an Enemy, by which *Kingston*, the principal Town
 “ and Place of Trade in this Island, must become an easy Prey to the first Invader, and if
 “ the Enemy should once get Possession thereof,
 “ it will require a very great Armament to
 “ dislodge them, and the Trade and Navigation must receive such a Blow, that may not
 “ be repaired in Ages.”

What

What the Sense of those Bodies was at that time, in which a perfect good Understanding and Tranquility subsisted among all Orders of People, and when neither Party-Prejudice, nor Passions, mix'd in the Public Debates, will clearly appear by the said Paragraph, and of what great Importance and Utility the Town of Kingston was then esteemed to be to the whole Island, as well in Point of Trade as in Point of Security.

The Experience we have had of several Courts, held in the Town of Kingston, has fully demonstrated to us the general Benefit of the Supreme Court being at present fixed there; a very great Number of Jurors are summoned every Court from among the Inhabitants of that Town, and most of the Actions arise there; the Attendance therefore of so many Men at St. Jago must have been very burthensome to Trade, which not only affected the People of Kingston, but most of your Majesty's Subjects trading to this Island, to their great Loss and Discouragement. All these Inconveniencies are now remedied by the Court being removed to Kingston; very few Jurors are summoned from St. Jago, and those but little concerned in Trade, which therefore cannot suffer any great Disadvantage by the Change. Far less Sums are expended in their attending at Kingston, than must be by Jurors from Kingston attending at St. Jago;

not

not only from their Number being much smaller, but as every necessary Article is more cheaply had at *Kingston* than at *St. Jago*; for it is notorious, and we do aver to your Majesty, that most of the Jurors from the distant Parts of the Country have declared their Attendance on a Court at *Kingston* not near so expensive as before at *St. Jago*. Another considerable Advantage must arise to your Majesty's Subjects attending the Courts of Justice or any other public Business, at *Kingston*; for as almost every Member of this Community hath some Concerns there, they may transact at the same time their private Affairs, without the Fatigue and Risque of passing and repassing between the Towns, and without any additional Expences or Charge, which cannot be the Case if obliged to attend at *St. Jago*.

It is highly probable, that in a short Time the Island in general would have remained satisfied with this Law, which daily manifests its Utility, was it not opposed by particular Gentlemen, whose Interests lying near *St. Jago*, find their Attendance on the public Business more convenient in that Town, and have by their Influence obtained a Majority in the House of Assembly, at the late general Election; we doubt not therefore but an Address and Representation may be made to your Majesty from that House, to transfer back public Business to *St. Jago*, but as *the Law*

in Question was passed by the concurrent Assent of the three Branches of a former Legislature, and by a considerable Majority in each House, several Months before the Irregularities, Heats and Animosities arose in the House of Assembly, which we apprehend to be those meant in your Majesty's Instruction, (for we are sensible of no other) we most humbly submit to your Majesty, whether such their Representations, or that Law so passed, may most deserve your Majesty's Royal Approbation.

It is the general Opinion of every unprejudiced Man, no way connected with this Island, that the Town of *Kingston* is the proper Place for transacting public Business; for which we can appeal to any of your Majesty's Officers, whose Duty has called them hither; and some of the Inhabitants themselves of *St. Jago*, on their solemn Examinations before the Council, at the passing this Law, acknowledged as their Opinion, that if *Kingston* had been the Place it now is at the Time of fixing the Courts at *St. Jago*, that the then Legislature would have fixed them at *Kingston*.

In a time of War, or public Danger, we think it a Fact, which can admit of no Dispute, that *Kingston* is the proper Place for the Residence of the Governor or Commander in chief, being the principal place of Trade,

Trade, having the greatest Part of the Effects and Wealth of this Island deposited there, having the greatest Number of fighting Men, and being the only Magazine of Stores, and Place that is defensible ; besides, the readiest Communication will be there open between your Majesty's Governor and the Commander in chief of your Majesty's Squadrons.

It will not admit of any Doubt, that many of the Inhabitants of St. *Jago* have suffered by the Removal of the Supreme Court to *Kingston* ; but it has ever been allow'd, that scarce any Change can be made in Government by which Individuals will not in some degree be affected ; and we humbly apprehend it to be a general Maxim, that private Interest ought always to give way to public Good ; for we cannot consider this as a Matter confined to this Island only, but that it extends itself to every other your Majesty's Dominions trading to it. However, we beg leave to assure your Majesty, that we shall ever be ready to give our Assistance for making reasonable Compensations to such of the Inhabitants of St. *Jago*, as may be deemed proper Objects.

All these Reasons and Observations we do most humbly offer to your Majesty's Royal Consideration, as our dispassionate Sense of the important Matters referred to us by your Majesty, and recommended for our Opinion.

We hope your Majesty will be graciously pleased to believe, that we have truly complied with your Majesty's Instruction, that we are neither actuated by private Interest, nor influenc'd by Party and Faction, but that the Opinion we have given in this plain and candid Representation proceeds from the due Obedience to your Majesty's Commands, from a Sense of our Duty to advise your Majesty truly and faithfully, from our Zeal for your Majesty's Service, and a sincere Attention to the Good of your Majesty's Subjects in some measure committed to our Care: Great would be our Concern, could we imagine that we had ever appeared to your Majesty other than true and faithful Counsellors, or that we had used the Station your Majesty hath placed us in for any other purpose but your Majesty's Service, and the general Good of our Fellow-Subjects; and therefore, conscious as we are of our Zeal and Fidelity to accomplish these good Ends, we presume to hope that your Majesty will look upon this Representation as unprejudiced and dispassionate, and be graciously pleased to confirm the Law now before your Majesty for the Removal of the Supreme Court, Offices, and Records from *St. Jago* to *Kingston*; so will the People of this long divided unhappy Country tread again the Paths of Peace, and enjoy the Blessings of your Majesty's glorious
Reign;

Reign; and we hope from the Endeavours which the Gentleman whom your Majesty hath appointed to preside over us, is now using, that he will happily conciliate the Minds of Men, and make us again an united People.

We are extremely sorry to introduce into this Representation any other Matter than what was immediately recommended to us by your Majesty's Instruction; but as we could not help observing from the Minutes of the Assembly, their Resolution to beg your Majesty's Acceptance of their humble and unfeigned Thanks, for your Majesty's Goodness in permitting your late Governor *Charles Knowles*, Esq; to resign his Government, so we think, that we cannot, in Justice to ourselves and that Gentleman, avoid laying before your Majesty our Sense of his general Behaviour and Conduct while he had the Honour of your Majesty's Commission to govern this Island. To prove the Services he has done this Country in fortifying it, we must beg another Appeal to the Paragraph before mentioned, from the joint Representation of the Council and Assembly, wherein their dispassionate Sense fully appears, in relation to the defenceless State of the Fortifications of Fort *Charles*, and other Places, through the Ignorance of former Engineers, though in nine years preceding, fifty-three thousand six hundred and forty pounds were expended on them. Very different

rent now are the Appearances of these several Fortifications (Fort *Charles*, which has received but little Repair, only excepted) as already represented to your Majesty. This Gentleman's Skill in projecting and carrying on these Works, his Oeconomy and Frugality in expending the several Sums granted for them, and an Approbation of his Measures, have been acknowledged by the several Assemblies held during his Administration. As his general Conduct and Endeavours have ever appeared to us to be calculated for the due Support of your Majesty's Prerogative, for the Dispatch of public Justice, as a Chancellor, and invariably directed for the Prosperity and Welfare of this Community over which he presided ; so we cannot but in Justice express these our Sentiments of him, and cannot doubt of his appearing in this fair Light to your Majesty.

We should not have trespassed on your Majesty's Patience, but as his Honour the Lieutenant Governor hath recommended to us in his Speech at the opening of this Session, the making a Representation of the true State of our Country, in regard to the unhappy Dissensions which have so long subsisted amongst us.—We think ourselves in Duty bound to set forth to your Majesty what we apprehend to have been the Cause and Rise of them, as from thence we must date the many Evils which have

have happened to this unhappy Country, and look upon all the Irregularities, Inconveniences and Misfortunes which have since afflicted us, to be Contingencies of the first wrong Steps that were taken to disturb the public Tranquility.

We cannot but fix this unhappy Period in the Month of *November*, 1753, when a new Receiver General was appointed, in the place of *Benjamin Hume*, Esq; removed. The reducing the Salary and Value of that Office by the then Assembly, without any apparent Cause, induced our late Governor to send a Message to the House. This being treated with such Neglect, that no Answer was returned for eleven Days, occasioned another Message from the Governor, on which an unhappy Construction having been put, great Heats immediately arose between the Governor and the House; and though a seeming Reconciliation afterwards appeared, yet the Minds of Men were estranged, and every Day some new Dislike arose.

We cannot finish this Representation without a due Acknowledgment of that paternal Care and Regard which your Majesty hath ever shewn for the Prosperity of your Subjects in general, and particularly for those of this Country, whose Distance has not lessened your Royal Attention to their Welfare. — Long may your Majesty's Reign continue propitious, and

and be a Blessing to your People; and that there may not be wanting an Heir of your illustrious House, to perpetuate to us our Religion, Liberties, and every Happiness now enjoyed, are our fervent and constant Prayers.

Passed the Council the 7th
Day of *Sept.* 1756.

NATH. MOORE, Cl. Concil.

To the KING's most Excellent MAJESTY.

The Humble Address of the Council of the
Island of *Jamaica*.

Most Gracious Sovereign,

WE your Majesty's most dutiful and loyal Subjects, the Council of this your Majesty's Island of *Jamaica*, being truly sensible of your Majesty's most gracious Disposition to hear and redress the Complaints of your faithful Subjects, most humbly beg leave to implore your Majesty's Attention upon the unhappy Occasion of this Address.

In our humble Representation to your Majesty on the important Matter concerning the Removal of the Seat of Government, Courts, Offices, and Records, from *St. Jago de la Vega* to *Kingston*, referred to us by your Majesty for our Opinion, your faithful Council fixed the Commencement of the unhappy Dissentions, which have so long subsisted in this Island, in the Month of *November 1753*; and set forth that the many Evils which have since attended us, proceeded from that first wrong Step of the then Assembly, in reducing the Value and Salary of your Majesty's Receiver General, without any apparent Cause.

Our Discords produced from that *Æra*, have grown to such a height, that this Country was never more unhappy. Rage and Resentment have fired the Minds of those, whose

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Conduct

Conduct during the late Administration had been deemed blame-worthy. Possessed now of Power and Influence in the present Administration, their whole Proceedings have been attended with all the Violence which Party-Prejudice and inveterate Malice could suggest. We of your Majesty's Council, who have ever been zealous Assertors of your Majesty's Prerogative, at the same Time that we have been attentive to the Rights and Liberties of the People, are for these very Reasons the intended Sacrifice of Faction. No Government can be infallible, doubtless some small Errors may have been committed in the late Administration; these are now diligently sought for, some of your Majesty's loyal Subjects have been deprived of their Liberty, and detained for a length of Time in Custody, to force from them a Confession of their own Actions, and to betray the private Conversation of their Friends; and the Doors of the Assembly are opened to the basest Informers, against any who are known to lie under the Displeasure and Persecution of that House. The Honourable *Philip Pinnock*, Esq; the late Chief Justice, and a Member of our Board, has felt the full Force of their Resentment, and a partial Enquiry into his Conduct has been made by them, and an Address followed this Enquiry to your Majesty's Lieutenant Governor, to suspend the said *Philip Pinnock* from his Seat at the Council, and to remove him from all
his

his Offices ; which Addrefs, with the feveral Examinations taken before the Houfe, and prefented at the fame Time to his Honour, were by him laid before the Council, defiring that they would likewise enquire into the Conduct and Behaviour of this Gentleman. An Enquiry was accordingly made by us with the utmoft Candour and Impartiality, and laid before his Honour, with an Addrefs and Representation ftating the whole Facts, with our Opinion and Advice, not to remove the faid Mr. *Pinnock* from any of his Offices.

Sorry are we to inform your Majesty, that our Opinion and Advice have not prevailed with his Honour ; Mr. *Pinnock* (for whose Abilities, Conduct and Character, we moft humbly beg leave to refer your Majesty to all the Examinations taken before the Council and Affembly, and the Addreffes of both Bodies to his Honour the Lieutenant Governor, all which we have the Honour now to lay before your Majesty) is fufpended from his Seat at the Council until your Majesty's Pleafure fhall be known, and actually removed from every other Office he poffeffed.

As the Council of this your Majesty's Island, forms one of the three Branches of the Legislature, and fubfifts by your Royal Appointment, we moft humbly apprehend, that if the Members of it are liable to a Suspension from their Seats, at the Caprice, or thro' the Refentment of the Affembly, that the Purpose

for which this Body was established by your Majesty must be done away, and the Constitution of our Legislature totally subverted.

The Council, if so circumstanced, must ever submit to the Dictates of the Assembly. If a Regard to your Majesty's Royal Prerogative, to the Honour and Dignity of their own Board, or an Attention to the Rights and Liberties of their Fellow Subjects, should at any time induce them to act with Vigour in Opposition to the Assembly, the Malice and Resentment of that House will be immediately exercised to obtain a Suspension of such Members as shall dare to act independently of them, or obstruct their Purposes.

We have great reason to fear that Gentlemen of Capacity, Probity and Fortune, however much devoted to your Majesty's Service, will scarce venture to accept your Majesty's Privy Seal, while they are subject to feel the Resentment of the Assembly, for doing only what they may think their Duty.

Suspensions from the Council by an Address from the Assembly, we humbly conceive to be totally unprecedented in this Island. *Charles Price*, Esq; the Speaker of the present Assembly, hath declared his Opinion of the Council on many Occasions in so contemptuous a manner (as appears by the Journals of the Council, *in the solemn Examination of the Reverend Mr. John Venn*, to which we beg leave to refer) that it may be very
justly

justly inferred, from the Influence which that Gentleman is known to have in the present Assembly, that the Address to suspend Mr. *Pinnock* is an Attempt to carry his Threats against the Council into Execution.

As there are no Proofs even in the Evidences sent up by the Assembly to support their Charge against Mr. *Pinnock*, to induce against him any Imputation of Partiality or Corruption in the Execution of his Office of Chief Justice, and as from the Examinations of the Gentlemen of the Bar in the most solemn Manner before us, it is proved that he hath executed that high and important Office with great Abilities, and with the purest Integrity; so we apprehend, that the removing him without Cause, is not only an Injustice to him, but also a real Injury to all your Majesty's Subjects in this Colony; and we humbly beg Leave to represent to your Majesty, that this manner of displacing a Chief Justice, may have the most fatal Consequences, and tends to render the Lives, the Liberties, and the Properties of your People here very precarious, since the Laws, which are the Inheritance of all your Majesty's Subjects, and by which they should be protected in their Rights, will have little Force in a Country, where the Judges of the Land, thus liable to be displaced upon the bare Address of an Assembly, will not hereafter dare to act with
that

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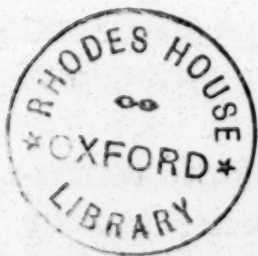
that Freedom and Impartiality, so essential to the due Administration of Justice.

Your most faithful Council do therefore implore your Majesty, to take these Matters into your Royal Consideration, and to grant to their Board, to the Honourable *Philip Pinnock*, Esq; and to your People here, such Relief as your Majesty in your great Wisdom shall think proper.

Passed the Council the 23^d
Day of *October*, 1756.

NATHANIEL MOORE, Cl. Concil.

F I N I S.



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